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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 WESTERN DIVISION

11 BRUCE BANDEL,

12 Plaintiff,

13 v.

14 UNITED STATES OF AMERICA,

15 Defendant.
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Case No. CV 15-10024-DSF (DFM)

ORDER RE: DISMISSAL OF
ACTION WITHOUT
PREJUDICE

18 On July 31, 2017, Plaintiff filed a motion to dismiss this action. See Dkt.
19 37. Because Defendant has filed a motion for partial summary judgment, see
20 Dkt. 21, the Court deemed Plaintiff's motion to be made under Fed. R. Civ. P.
21 41(a)(2) and accordingly ordered Defendant to file any opposition to an order
22 of dismissal without prejudice within 7 days, see Dkt. 38. On August 22, 2017,
23 Defendant filed a statement of non-opposition and requested that the Court
24 grant Plaintiff's motion and dismiss this action without prejudice. See Dkt. 39.

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1 This Court has conducted a de novo review of Plaintiff's motion and
2 Defendant's statement of non-opposition. Plaintiff's motion is GRANTED
3 and IT IS THEREFORE ORDERED that this action be dismissed without
4 prejudice under Federal Rule of Civil Procedure 41(a)(2).


5 8/31/17

6 Dated: _____



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8 DALE S. FISCHER
9 United States District Judge

10 Presented by:



13 DOUGLAS F. McCORMICK
14 United States Magistrate Judge